

United States District Court, Eastern District of Washington
Magistrate Judge James A. Goeke
Yakima

**USA v. JESUS BIRRUETA-
MENDOZA**

Case No. 1:24-MJ-4012-ACE-1

Yakima Video Conference (JAG @ Spokane; Counsel and Defendant @ Yakima)
The Defendant agreed to appear via video conference.

Detention Hearing:

01/24/2024

<input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y]	<input checked="" type="checkbox"/> Michael Murphy, US Atty
<input checked="" type="checkbox"/> Melissa Orosco, Courtroom Deputy [S]	<input checked="" type="checkbox"/> Paul Shelton, Defense Atty
<input checked="" type="checkbox"/> Erica Helms, US Probation / Pretrial Services	<input checked="" type="checkbox"/> Interpreter – Natalia Rivera
<input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM <input type="checkbox"/> out of custody	<input type="checkbox"/> Defendant not present / failed to appear
<hr/>	
<input checked="" type="checkbox"/> Defendant continued detained	<input type="checkbox"/> Conditions of Release imposed <input type="checkbox"/> 199C Advice of Penalties/Sanctions

REMARKS

USA proffered the pretrial services report and concurs with its recommendation of continued detention of the Defendant and is invoking the rebuttable presumption detention in this matter.

USA argued why the Court should detain the Defendant and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of the community.

USA argues Defendant has FTAs and a detainer from ICE.

USA proffers statement of facts on this case.

Defense counsel argued why the Defendant should be released including his long-term ties to this community, residence, employment and proposes release conditions including a bond and GPS location monitoring.

Court colloquy with Defense regarding reasons why Defendant would choose to remain in the United States considering the amount of time he is looking at and the possibility of deportation.

Defense advised Defendant has strong incentive to stay due to his ties to this community and a limited criminal history.

Court advised will not consider the ICE detainer.

The Court ordered:

1. USA's Motion for Detention is **granted**; subject to right to return before the Court should circumstances change.
2. There are no combination of conditions to assure the Defendant's appearance as required.
3. Conditions of release could be imposed that would address the risk of danger to the community.

4. Defendant shall be detained by the U.S. Marshal until further order of the Court.